

DEPARTMENT OF LAW  
OF  
THE CITY OF NEWARK  
NEW JERSEY

VINCENT P. TORPEY  
CORPORATION COUNSEL

November 25, 1957

Miss Agnes Coleman,  
Chairman, N.C.N.C.R.,  
605 Mt. Prospect Ave.,  
Newark, N. J.

Re: Associated Community Councils

Dear Miss Coleman:

This will acknowledge receipt of a copy of a letter addressed to you on October 9, 1957 by the Associated Community Councils in which information is desired with regard to certain ordinances. Herewith are excerpts of the ordinances you requested:

1. NOISE

Sec. 19.1 - Loud and unnecessary noise and noise detrimental to health, etc. - Prohibited.

The creation of any unreasonably loud, disturbing and unnecessary noise in the city is hereby prohibited. There is further prohibited any noise of such character, intensity or duration as is detrimental to the life or health of any individual.

Sec. 19.2. Same Enumerated.

The following acts, among others but not by way of limitation, are declared to be loud, disturbing and unnecessary noises in violation of this chapter, but the following enumeration shall not be deemed to be exclusive:

(a) Horns, signaling devices, etc. The sounding of any horn or signal device on any automobile, motorcycle, bus, streetcar or other vehicle while not in motion, except as

November 25, 1957

a danger signal if another vehicle is approaching apparently out of control, or if in motion only as a danger signal after or as brakes are being applied and acceleration of the vehicle is intended or before passing another vehicle upon the street or highway as a signal of intent to so pass, but in such case the signal shall not be unnecessarily loud or continuous, and except in such cases where the traffic act or the motor vehicle act of the state requires the sounding of such horn or signal device. In such cases, however, the sounding of such horn or signal devices shall be of no louder or longer duration than is necessary to properly comply with the provisions of either of these acts, as the case may be.

(b) Radios, phonographs, etc. The playing of any radio, phonograph or any musical instrument in such a manner or with such volume particularly during the hours between 12:00 midnight and 6:00 A.M. as to unreasonably annoy or disturb the quiet, comfort or repose of persons in any dwelling, hotel or other type of residence. This provision, however, is not applicable to any establishment duly licensed by the city wherein entertainment and amusement is allowable; provided, however, that such regulations as are already required for such duly licensed establishment shall remain in full force and effect.

(c) Defect in vehicle or load. The use of any automobile, motorcycle, streetcar, or vehicle so out of repair, so loaded or in such manner as to create loud and unnecessary grating, grinding, rattling or other noise.

## 2. OVERNIGHT TRUCK PARKING

The only ordinance we find on overnight parking is in Section 17.22, which reads as follows:

Sec. 17.22. Parking prohibited between 2:00 A.M. and 6:00 A.M.

It shall be unlawful to park or place and leave any vehicle on the streets of the city between the hours of 2:00 A.M. and 6:00 A.M.

November 25, 1957

### 3. HOUSE NUMBERS

#### Sec. 30.127. Manner.

All dwelling houses, stores or other buildings erected within the limits of the city shall be numbered in conformity with the street numbers on the tax maps of the city filed in the office of the board of assessment and revision of taxes of the city.

#### Sec. 30.128. Application for numbers.

Upon application by the owner of any property in the city to the surveyor, to the board of assessment and revision of taxes the surveyor shall furnish such owner with the correct number of such property.

#### Sec. 30.129. Incorrect numbering.

The owner of any dwelling house, store or other building incorrectly or improperly or insufficiently numbered, shall be notified in writing by the director or his authorized representative to change or replace such incorrect or improper number, or to affix a number where one is lacking, within ten days after date of such notice.

### 4. SIDEWALK DISPLAYS

#### Sec. 30.52. Show cases, booths, etc., not to stand on street; exceptions.

It shall be unlawful for any person to place or cause, suffer or permit to be placed or maintained, any show case or other construction or device for the display of merchandise; or any box, barrel, can, package or thing whatsoever on or over any sidewalk, roadway or public place, or to display or cause, permit or suffer to be displayed upon or over any sidewalk, roadway or public place, any merchandise for sale or advertisement, under penalty of a fine of not more than twenty-five dollars for each offense for each and every day such encumbrance or obstruction shall continue; provided, that this section shall not be construed to prevent the reasonable use of the sidewalk by the occupant of any building or part thereof, for loading or unloading

-2-

November 25, 1957

merchandise; nor prevent receptacles for garbage, ashes or refuse being placed upon the sidewalk, when so placed in accordance with the provisions of article XVII of chapter 15 of this Revision, nor shall it apply to those public places designated and regulated by chapter 25 of this Revision as market places.

#### 5. SIDEWALK

Sec. 30.149. Throwing fruits and vegetables on streets, etc.

No person shall cast, throw or deposit on any sidewalk or crosswalk in any street or public place in the city, any fruit or vegetable or other substance or any part or portion thereof which is liable to cause or does cause any one passing along the sidewalk or crosswalk to slip or fall.

#### 6. GARBAGE

Sec. 15.643. Same-Time of placing and removing.

It shall be unlawful for any person to place, or cause to be placed, any receptacle or bundle of refuse material on any portion of the sidewalk of the following listed streets at any time except on the day of collection and then only between the hours of 6:00 A.M. and 10:00 A.M. in the forenoon:

Broad Street, from Clay Street to South Street  
Market Street, from Raymond Plaza East to  
Arlington Street.

It shall be unlawful for any person to place, or cause to be placed, or permit to remain on the sidewalk, any receptacle or bundle containing refuse material, more than one hour before the time scheduled for the collection of same, nor shall such person allow or permit any empty receptacle to remain upon such sidewalk, more than one hour after the contents have been collected.

November 25, 1957

7. FENCES

Sec. 30.78. Unsafe places to be fenced, etc., by owner.

Upon notice from the chief engineer to the owner of any property abutting on any street or public place of any unsafe place on such abutting property adjacent to the street or public place, such owner shall at his own expense erect and maintain a wall, fence or other safeguard approved or designated by the chief engineer.

Sec. 30.79. Same-Failure of owner to erect.

Upon failure of any owner to comply with such a notice to erect a wall, fence or other safeguard then the chief engineer shall cause the same to be erected or constructed at the expense of such owner.

Sec. 30.80. Dangerous fences, etc., prohibited.

No barbed wire fence or other fence or wall having barbed or sharp projections facing outward, or otherwise endangering the traveling public, shall be permitted adjacent to or along the line of any street or public place.

8. DOGS

Sec. 4.35. Running at large prohibited.

No person owning, keeping or harboring any dog shall suffer or permit it to run at large upon the public streets or in any public park or in any public building, or in any other public place within the city.

Sec. 4.40. Control of dogs in public places.

No person owning, keeping or harboring any dog shall suffer or permit it to be upon the public streets or in any of the public places of the city unless such dog is accompanied by a responsible person, and is securely confined and controlled by one adequate leash not more than six feet long.

Sec. 4.41. Dogs to be muzzled off premises during certain months.

No person owning, keeping or harboring any dog over the age of two months shall during months of June, July, August and September in each year permit it upon public highways, or outside of the premises occupied by such owner unless such a dog wears a muzzle securely fastened over its jaws in such a manner that it cannot bite.

Sec. 19.2 (c) Animals and birds. The keeping of any animal or bird which by causing frequent or long continued noise shall disturb the comfort and repose of any person in the vicinity.

Very truly yours,

VINCENT P. DUFFY  
CORPORATION COUNSEL

VPT:DW:JB